

REMARKS

In response to the Office Action dated December 11, 2007, Applicants submit that all pending claims are in condition for allowance.

Claims 1-6, 10-16 and 19 stand rejected under 35 U.S.C. §112, ¶1 based on the limitation “preexisting collection.” Applicants respectfully disagree with the Examiner’s assertion regarding a lack of support for this claimed limitation. Rather, this limitation is discussed at various locations through-out the specification as originally filed. For example, one representative passage includes page 8, lines 3-6 which states “[t]he appropriate rule is identified, step 204, and the new data item is added to the collection defined by the selected rule, step 210. As used herein, the term collection broadly refers to a group of data items that have been previously identified as falling within the scope defined by a rule.” (emphasis added). This passage clearly and succinctly states that there is a preexisting collection of one or more data items, the preexisting collection being data items that have been previously identified as falling within the scope defined by the rule. Accordingly, Applicants submit the rejection is improper and should be withdrawn.

Claims 1, 10 and 19 stand rejected under 35 U.S.C. §112, ¶1 based on the cited limitation of “anomalous data item that is misclassified.” Applicants respectfully disagree with the Examiner’s assertion regarding a lack of support for this claimed limitation. Rather, this limitation is discussed at various locations through-out the specification as originally filed. For example, one representative passage includes page 7, lines 7-10, which states “[w]here a data item is different according to some statistically significant manner, the data item is flagged as an anomaly and brought to the attention of the user or controlling software process, e.g. software sub-systems 114.” This passage clearly and succinctly describes determining anomalous data

items using statistical calculations, where the determination of anomalous data items relates directly to the classification of the data. Accordingly, Applicants submit the rejection is improper and should be withdrawn.

Claims 1-19 stand rejected, again, under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. Patent No. 6,094,651 (Agrawal) in view of U.S. Patent No. 6,567,796 (Yost).

Previously, Applicants asserted that neither Agrawal nor Yost, alone or in combination, teach or suggest “adding the incoming data item to a preexisting collection of one or more data items.” In the Response to Arguments section, the Examiner considers this argument unpersuasive based on an asserted lack of support for the claimed “preexisting collection.” Applicants respectfully traverse and re-submit the above-offered position that the preexisting collection is described in the specification and fully supported for proper interpretation by the Examiner. This claim element cannot be reasonably or properly interpreted to be taught or suggested by Agrawal’s technique for creating an MDDB from a collection of data. As provided in the response filed September 21, 2007, Agrawal teaches the collection of data is used to create an MDDB by selecting a number of attributes associated with the data to populate the MDDB to create metrics, dimensions and hierarchies to provide different levels of granularity for viewing the data. Col. 1, lines 37-45. In contrast, Agrawal does not teach or suggest adding incoming data to a preexisting collection of one or more data items.

Previously, Applicants also asserted that Agrawal’s identification of exceptional data does not teach or suggest the claimed misclassification of data. In the response to Arguments section, the Examiner takes the position that “it would have been obvious to one of ordinary skill in the art that an anomalous data item is inherently misclassified.” Applicants

respectfully disagree with the Examiner's position because it misapplies Agrawal's teaching. As Applicants have previously stated, Agrawal teaches identifying exceptional data. When data is exceptional, that does **not** inherently mean the data is misclassified, it merely means that the data is an exception relative to the other data in the classification and not an exception to the classification itself. Agrawal even supports this using the Birch-beer example where the exceptional data is an exceptional increase of 42% in sales for the month of October. This doesn't mean that the sales numbers have been misclassified, rather it means that these month's sales are exceptional relative to sales figures of other months. And as such, it is not proper for Agrawal to support the proposition that the identification of anomalous data inherently means the data is misclassified because in Agrawal this anomaly means an exception **within** the classification, not an exception **to** the classification (e.g. misclassification).

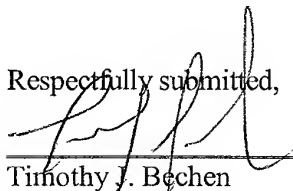
Thus, neither Agrawal nor Yost, either alone or in combination, teach or suggest each element of independent claims 1, 10 and 19. Applicants assert that amended claims 1, 10 and 19 are allowable and respectfully request allowance regarding the same. Because claims 2-9 depend from independent claim 1, claims 11-18 depend from independent claim 10 (and therefore include all of the elements of claims 1 and 10, respectively). It is respectfully submitted that these claims are also allowable for at least the same reasons.

For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the examiner is invited to call the applicants' undersigned representative to discuss any issues relating to this application.

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Respectfully submitted,



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